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## PURPOSE

To establish policy and procedure to ensure all Michigan Department of Health and Human Services (MDHHS) employees and contractors comply with Section 1557 of the Patient Protection and Affordable Care Act.

The Michigan Department of Health and Human Services will not exclude from participation in, deny benefits of, or discriminate against any individual or group because of race, sex, religion, age, national origin, color, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's eligibility.

## POLICY

MDHHS will receive, investigate, and resolve complaints made by individuals or their legally authorized representatives of alleged violations of Section 1557.

To file a grievance either:

- Make complaint in writing and submit it to the MDHHS section 1557 coordinator at [MDHHS-Section-1557@michigan.gov](mailto:MDHHS-Section-1557@michigan.gov).
- Electronically file a complaint (or request a complaint package) via the Office for Civil Rights (OCR) U.S. Department of Health and Human Services at [www.hhs.gov/ocr](http://www.hhs.gov/ocr).
- Call OCR's toll-free number at 800-368-1019 or 800- 537-7697 (TDD).

## PROCEDURE

### Grievance Procedure

Any person who believes someone has been subjected to discrimination based on race, sex, religion, age, national origin, color, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's eligibility may file a grievance under this procedure. It is against the law for MDHHS to retaliate against anyone who opposes discrimination, files a grievance, or participates in the investigation of a grievance.

- Submit grievances to the section 1557 coordinator within (60 days) of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A grievance must be in writing, containing the name and address of the person filing it. The grievance must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The section 1557 coordinator (or her/his designee) investigates the grievance. This investigation may be informal, but it will be thorough, affording all interested persons an opportunity to submit evidence relevant to the grievance. The section 1557 coordinator will maintain the files and records of MDHHS relating to such grievances. To the extent possible, and in accordance with applicable law, the section 1557 coordinator will take appropriate steps to preserve the confidentiality of files and records relating to grievances and will share them only with those who have a need to know.
- The section 1557 coordinator will issue a written decision on the grievance, based on a preponderance of the evidence, no later than 60 days after its filing, including a notice to the complainant of their right to pursue further administrative or legal remedies.
- The person filing the grievance may appeal the decision of the section 1557 coordinator by writing to the chief compliance officer within 15 days of receiving the section 1557 coordinator's decision.
- The chief compliance officer will issue a response to the appeal no later than 30 days after its filing.

### **Record Retention**

MDHHS retains documentation regarding grievances received and the resolution of such complaints, in written or electronic format, for at least 6 years.

### **REFERENCES**

Section 1557 of the Patient Protection and Affordable Care Act: 45 CFR Part 92,

Title VI of the Civil Rights Act of 1964: 42 U.S.C. § 2000d et seq.,  
Title IX of the Education Amendments of 1972: 20 U.S.C. § 1681 et  
seq.,

Section 504 of the Rehabilitation Act of 1973: 29 U.S.C. § 794,

Age Discrimination Act of 1975: 34 CFR Part 110

## CONTACT

For additional information concerning this policy, contact the  
MDHHS 1557 coordinator at [MDHHS-Section-1557@michigan.gov](mailto:MDHHS-Section-1557@michigan.gov).